

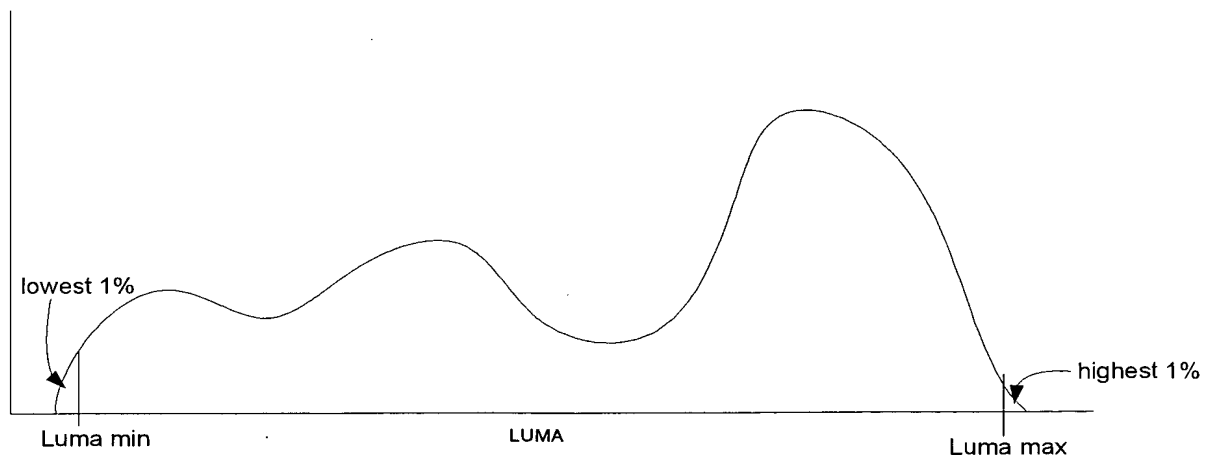
REMARKS

In confirmation of the provisional election without traverse to prosecute the invention of Group I, the applicant elects without traverse claims 1 - 20 and cancels claim 21.

It should be noted that the Examiner has misconstrued the meaning of paragraph [16]

"In addition, the darkest and brightest luma data values found are also stored. These values can be either determined by the actual minimum and maximum values found in the image, or from a cumulative analysis of the luma histogram. For example, **the minimum luma could be determined as the value beyond which 99% of the image luma values are found. The maximum luma could be determined as the value below which 99% of the image luma values are found.**"

In other words, if 99% of the luma values are greater than a particular value, than that particular value is the minimum luma value and if 99% of the luma values are below a particular luma value, than that luma value is the maximum luma value. For example, if 99% of the luma values are greater than $LV = 10$ then the minimum luma value is 10 whereas if 99% of the luma values are below $LV = 230$, then the maximum luma value is 230.



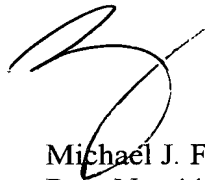
It should also be noted that Figure 1 has been amended to be consistent with the specification as well as the legend included therein.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. Should the Examiner believe that a further telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to be 'Michael J. Ferrazano', written over the printed name.

Michael J. Ferrazano
Reg. No. 44,105

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300

Amendments to the Drawings:

The attached drawing sheets are formalized versions of informal drawings originally filed.

Attachment: Replacement Sheets 1-8